

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION**

| | | |
|--|---|-------------------------------|
| TITAN TIRE CORPORATION OF FREEPORT, |) | |
| |) | |
| Plaintiff-Counterdefendant, |) | |
| |) | |
| v. |) | Case No. 3:08-cv-50072 |
| |) | |
| UNITED STEELWORKERS OF AMERICA, LOCAL 745L, |) | |
| |) | |
| Defendant-Counterplaintiff. |) | Magistrate P. Michael Mahoney |
| |) | Judge Presiding |

USW'S MOTION FOR SUMMARY JUDGMENT

The Union in this case, the USW Local 745L, hereby moves for summary judgment. These are the reasons for the motion:

1. The Employer, Titan Tire, seeks to overturn an arbitration award interpreting the provisions of the collective bargaining agreements between the parties.
2. As the Court knows, judicial review of arbitration awards is very limited. Further, the undisputed facts in this case show that the award is enforceable and that summary judgment should be granted to the Union in this case.

WHEREFORE, the Union prays that the Court grant summary judgment to the Union by dismissing the Employer's claim and upholding the Union's counterclaim.

Respectfully submitted,

CORNFIELD AND FELDMAN

CORNFIELD AND FELDMAN

Suite 1400

25 East Washington Street
Chicago, Illinois 60602-1803
(312) 236-7800
(312) 236-6686 (fax)

By: /s/ Stephen A. Yokich
Stephen A. Yokich

Attorneys for Defendant-Counterplaintiff United Steel
Workers, Local 745L

Dated: June 17, 2008

CERTIFICATE OF SERVICE

Stephen A. Yokich, an attorney, hereby certifies that on June 17, 2008, he caused the foregoing **USW's Motion for Summary Judgment** to be filed electronically with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Michael R. Lied, Esq.
HOWARD & HOWARD
One Technology Plaza, Suite 600
211 Fulton Street
Peoria, IL 61602-1350

and further certifies that on June 17, 2008, he caused the same document to be served upon the following non-registered participants by U.S. Mail, first-class postage prepaid and addressed as shown below:

None

/s/ Stephen A. Yokich
Stephen A. Yokich